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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

11/05/01 (104-05)
Approved for use through 07/21/00 on OMB 0501-0011
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Docket Number (Optional)
95176562-005004

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage on first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (37 CFR 1.04(u)) on September 14, 2005

Signature Karen L. HudsonTyped or printed name Karen L. Hudson

In re Application of:

Lloyd Wolfenbarger, Jr.

Application Number

09/940,545

Filed

08/29/2001

For

Elasticated Bone and Soft Tissue

An Unit

3732

Examiner

David Comstock

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO 2008 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 2148-0555. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the:

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.72(b) is enclosed. (Form PTO/SB/06)

☒ attorney or agent of record. Registration number 39,292

☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34

N. Jackson Matney, Jr.
Typed or printed name

202-835-1670

Telephone number

September 13, 2005
Date

NOTE: Signatures of all the inventors or assignors of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the patent which is to file (and by the USPTO to process) an application. Consideration is given by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. The collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. USPTO SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1501-0001 (04-05)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Docket Number (Updated): 95376562-005004

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Signature: Karen L. Hudson
Typed or printed name: Karen L. Hudson

In re Application of: David Wolfenbarger, Jr.
Application Number: 09/940,545 Filed: 08/29/2001
For: Plasticized Bone and Soft Tissue ...
An Unit: 3732 Examiner: David Comstock

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.201(i)) \$500.00
\$250.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

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☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

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☒ A petition for an extension of time under 37 CFR 1.136(a) (PTOSB/22) is enclosed.

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I am the:

☐ applicant/inventor.

☐ attorney or agent of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.72(b) is enclosed. (Form PTO/SB/05)

☒ attorney or agent of record. Registration number: 39,292

☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34: _____

Signature: W. Jackson Matney, Jr.
Typed or printed name: W. Jackson Matney, Jr.
Telephone number: 202-835-1670
Date: September 13, 2005

NOTE: Signatures of all the inventors or assignors of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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